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Paper No. 6

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**OFFICE OF PETITIONS**

In re Application of :  
Holger Beckmann et al. :  
Application No. 09/934,025 : DECISION ON PETITION  
Date Deposited: August 21, 2001 : UNDER 37 C.F.R. §1.10  
Attorney Docket No. 018781- :  
001710US :  
Title: DETECTION METHOD FOR :  
MONITORING BETA TUBULIN ISOTYPE :  
SPECIFIC MODIFICATION :

This is a decision on the "Request for Corrected Filing Date," which is properly treated as a petition under 37 C.F.R. §1.10, filed October 30, 2003, requesting that application number 09/934,025 be accorded a filing date of August 20, 2001.

The application was deposited on August 21, 2001.

On October 30, 2003, applicant filed the present petition. Petitioner has alleged that the application was deposited on August 20, 2001. Petitioner further states that a postcard receipt and Express Mail label no. EL827150093US were included with the petition, but neither has been located in the file. As such, petitioner's request cannot be granted.

It is further noted that this petition was filed over two years after the filing of the application, and 37 C.F.R. §1.10 requires any petition under this section to be filed promptly.

Accordingly, the petition is **DISMISSED**.

The reply to this letter may be submitted by mail<sup>1</sup>, hand-delivery<sup>2</sup>, or facsimile<sup>3</sup>. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.10". This is not a final agency action within the meaning of 5 U.S.C 704.

It is suggested that on Renewed Petition, Petitioner provide these missing papers in the filing of this renewed petition.

**The application file will be retained in the Office of Petitions for two (2) months.**

Telephone inquiries regarding *this decision* should be directed to the undersigned at (703) 305-0011.



Paul Shanoski  
Attorney  
Office of Petitions  
United States Patent and Trademark Office

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1 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

2 Office of Petitions, 2201 South Clark Place, Crystal Plaza 4, Suite 3C23, Arlington, VA 22202.

3 (703) 308-6916 or (703) 305-4257, Attn: Office of Petitions.